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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,754	09/17/2003	Jun Orihara	05905.0172	3822

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EXAMINER
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LUU, MATTHEW

ART UNIT	PAPER NUMBER
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3663

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/663,754

Applicant(s)

ORI HARA, JUN

Examiner

LUU MATTHEW

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kagawa et al (US 2004/0169659) in view of Tachibana et al (US 2001/0053246).

Regarding claim 1, Kagawa discloses (Figs. 1, 4 and 10) a computer program product wherein a computer program for causing a computer system to execute processing for automatically generating a color design for a display object to be displayed on screen is recorded on a computer-readable recording medium;

the computer program implementing:

an input step (Fig. 4, steps 21 and 22) of receiving specification of colors constituting a first color design for the display object (Fig. 10, the image object 113);

a converting step (S27) of converting the colors specified at the input step to other colors;

a step of creating a second color design for the display object (Fig. 10, objects 114a-114h). See also sections 81 and 130.

Kagawa fails to teach the color converting step for converting the colors in accordance with a previously determined color converting rule.

However, Tachibana (Figs. 1, 3, 4 and 6) the color converting step for converting the colors in accordance with a previously determined color converting rule. See sections 12; section 30, lines 10-12; section 36.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to use the color converting rule for converting the color of the character data and image data, as taught by Tachibana (section 69, lines 7-10), into the method for converting the color of the displayed image objects of Kagawa to provide a system whereby elderly users, whose color vision is impaired, can easily identify image objects being displayed on the screen.

Regarding claim 2, Kagawa discloses (Figs. 1 and 7) two or more colors in the input step.

Regarding claim 3, Kagawa discloses (Fig. 1) the color conversion means (2 and 3).

Regarding claim 4, it is obvious that the three primary colors Red, Green and Blue (R,G,B) are mutually complementary colors. See also Tachibana, section 52.

Regarding claims 5 and 6, Tachibana teaches a warm type color and a cold type color. See Tachibana, section 52.

Regarding claim 7, Kagawa discloses (Fig. 10) a step of automatically generating a plurality of types of color layout candidates. On the other hand, Tachibana also teaches a step of automatically generating a plurality of types of color layout candidates (Section 36).

Regarding claim 8, Kagawa discloses (Fig. 10) a step of determining a color layout for a second display object (any one of the objects 114a-114h) to be displayed in association with the display object (original 113).

Regarding 9, note the rejection as set forth above with respect to claim 1.

Regarding claim 10, Tachibana further discloses (Fig. 1) a computer network (main application, WWW browser 35). Furthermore, changing a color of a displayed object via a computer network is conventional in the art.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Hayama et al (US 2001/0034255) disclose (Figs. 41-51) the changing of shape and color of the displayed objects.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (571) 272-7663. The examiner can normally be reached on Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BELLA MATTHEW can be reached on (571) 272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Luu



**MATTHEW LUU**  
**PRIMARY EXAMINER**